



9-08-05

IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Peyman, Gholam A.  
Appl. No.: 10/784,169  
Conf. No.: 8282  
Filed: February 24, 2004  
Title: METHODS OF TREATMENT OF REFRACTIVE ERRORS USING  
SUBEPITHELIAL OR INTRASTROMAL CORNEAL INLAY WITH  
BONDING COATING  
Art Unit: Unassigned  
Examiner: Unassigned  
Docket No.: 116161-03

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 37 C.F.R. 1.97, and 37 C.F.R. 1.98, Applicants request that a citation and examination of the references cited below, and on the attached PTO-1449 form be made during the course of examination of the above-identified application for United States patent.

**U.S. PATENT DOCUMENTS**

<u>Document No.</u>	<u>Date</u>	<u>Inventor</u>
3,982,541	09/1976	L'Esperance, Jr.
4,298,004	11/1981	Schachar et al.
4,452,235	06/1984	Reynolds
4,655,774	04/1987	Choyce
4,665,913	05/1987	L'Esperance, Jr.
4,669,466	06/1987	L'Esperance, Jr.
4,676,790	06/1987	Kern
4,718,418	01/1988	L'Esperance, Jr.
4,729,372	03/1988	L'Esperance, Jr.
4,744,360	05/1988	Bath
4,807,623	02/1989	Luberman
4,840,175	06/1989	Peyman

4,842,599	06/1989	Bronstein
4,851,003	07/1989	Lindstrom
4,903,695	02/1990	Warner et al.
4,907,586	03/1990	Bille et al.
4,961,744	10/1990	Kilmer et al.
4,994,058	02/1991	Raven et al.
5,063,942	11/1991	Kilmer et al.
5,196,026	03/1993	Barrett et al.
5,196,027	03/1993	Thompson et al.
5,215,104	06/1993	Steinert
5,300,118	04/1994	Silvestrini et al.
5,318,044	06/1994	Kilmer et al.
5,318,047	06/1994	Davenport et al.
5,323,788	06/1994	Silvestrini et al.
5,332,802	07/1994	Kelman et al.
5,336,261	08/1994	Barrett et al.
5,368,604	11/1994	Kilmer et al.
5,391,201	02/1995	Barrett et al.
5,403,335	04/1995	Loomas et al.
5,405,384	04/1995	Silvestrini
5,713,957	02/1998	Steele et al.
5,720,894	02/1998	Neev et al.
5,722,971	03/1998	Peyman
5,919,185	07/1999	Peyman
5,964,748	10/1999	Peyman
5,964,776	10/1999	Peyman
6,063,073	05/2000	Peyman
6,086,204	07/2000	Magnante
6,102,946	08/2000	Nigam
6,203,538	03/2001	Peyman
6,210,401	04/2001	Lai
6,217,571	04/2001	Peyman

6,218,360	04/2001	Cintron et al.
6,221,067	04/2001	Peyman
6,264,648	09/2001	Peyman
6,280,470	08/2001	Peyman
6,376,153	11/2001	Goodman et al.
6,436,092	08/2002	Peyman
6,551,307	04/2003	Peyman
6,702,807	03/2004	Peyman
6,755,819	06/2004	Waelti
6,855,163	02/2005	Peyman

### **OTHER DOCUMENTS**

L. Girard, "Corneal Surgery," The C.V. Mosby Publishing Company, London, 1981, pp. 107-141.

Tadeusz Krwawicz, "Lamellar Corneal Stromectomy for the Operative Treatment of Myopia," Notes, Cases, Instruments, received in PTO-Sept. 1986, pp. 828-833.

Barraquer, "Keratomileusis and Keratophakia in the Surgical Correction of Aphakia," Cataract Surgery and Special Techniques, prior to 1996, pp. 270-289.

Baumgartner et al., "Refractive Keratoplasty: Acute Morphologic Features," the CLAO Journal—April, 1985, Vol. II, No. 2, pp. 163-169.

Werblin, "Epikeratophakia: Techniques, Complications and Clinical Results," Ophthalmology, prior to 1996, pp. 45-58.

Sally Pobjewski, "New U-developed laser performs high-precision corneal surgery," News and Information Services, The University Record, July 16, 1997.

Karin R. Sletten, M.D. et al.; Experimental Science, "An In Vivo Model of Femtosecond Laser Intrastromal Refractive Surgery," Ophthalmic Surgery and Lasers, November/December 1999, Vol. 30, No. 9, pp. 742-749.

Griffith et al.; "Functional Human Corneal Equivalents Constructed from Cell Lines," SCIENCE, Vol. 286, December 10, 1999, pp. 2169-2172.

Yamauchi et al.; "Cultivation of fibroblast cells on keratin-coated substrata," Polymers for Tissue Engineering, pp. 329-340, VSP 1998.

Ijima et al.; "Formation of a spherical multicellular aggregate (spheroid) of animal cells in the pores of polyurethane foam as a cell culture substratum and its application to a hybrid artificial liver," Polymers for Tissue Engineering, pp. 273-286, VSP 1998.

Cao et al.; "Comparative study of the use of poly(glycolic acid), calcium alginate and pluronics in the engineering of autologous porcine cartilage," Polymers for Tissue Engineering, pp. 315-327, VSP 1998.

Binder et al.; "Hydrogel keratophakia in non-human primates," Current Eye Research, Vol. 1, No. 9, 1981/1982, pp. 535-542.

Swinger et al.; "Keratophakia and Keratomileusis - Clinical Results," American Academy of Ophthalmology, August 1981, Vol. 88, No. 8, pp. 709-715.

Applicants look forward to early and favorable consideration of this matter.

Respectfully submitted,

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BY 

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Dated: 9-6-05

<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b> (Use several sheets if necessary)  PTO Form 1449	Atty Docket No. 116161-03	Application No. 10/784,169
	Applicant Peyman, Gholam A.	
	Filing Date Feb. 24, 2004	Group



U.S. PATENT DOCUMENTS						
Examiner's Initials	Document Number	Publication Date	Inventor	Class	Subclass	Filing Date If Appropriate
	3,982,541	09/1976	L'Esperance, Jr.			
	4,298,004	11/1981	Schachar et al.			
	4,452,235	06/1984	Reynolds			
	4,655,774	04/1987	Choyce			
	4,665,913	05/1987	L'Esperance, Jr.			
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	4,961,744	10/1990	Kilmer et al.			
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	5,215,104	06/1993	Steinert			
	5,300,118	04/1994	Silvestrini et al.			
	5,318,044	06/1994	Kilmer et al.			
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	5,336,261	08/1994	Barrett et al.			

Examiner:	Date Considered:
*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b> (Use several sheets if necessary)  PTO Form 1449	Atty Docket No. 116161-03	Application No. 10/784,169
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		5,368,604	11/1994	Kilmer et al.			
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		5,403,335	04/1995	Loomas et al.			
		5,405,384	04/1995	Silvestrini			
		5,713,957	02/1998	Steele et al.			
		5,720,894	02/1998	Neev et al.			
		5,722,971	03/1998	Peyman			
		5,919,185	07/1999	Peyman			
		5,964,748	10/1999	Peyman			
		5,964,776	10/1999	Peyman			
		6,063,073	05/2000	Peyman			
		6,086,204	07/2000	Magnante			
		6,102,946	08/2000	Nigam			
		6,203,538	03/2001	Peyman			
		6,210,401	04/2001	Lai			
		6,217,571	04/2001	Peyman			
		6,218,360	04/2001	Cintron et al.			
		6,221,067	04/2001	Peyman			
		6,264,648	09/2001	Peyman			
		6,280,470	08/2001	Peyman			
		6,376,153	11/2001	Goodman et al.			
		6,436,092	08/2002	Peyman			
		6,551,307	04/2003	Peyman			
		6,702,807	03/2004	Peyman			
		6,755,819	06/2004	Waelti			
		6,855,163	02/2005	Peyman			

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FOREIGN PATENT DOCUMENTS								
Examiner's Initials		Document Number	Publication Date	Country	Class	Subclass	Translation	
							Yes	No

Examiner's Initials		OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>
		L. Girard, "Corneal Surgery," The C.V. Mosby Publishing Company, London, 1981, pp. 107-141.
		Tadeusz Krwawicz, "Lamellar Corneal Stromectomy for the Operative Treatment of Myopia," Notes, Cases, Instruments, received in PTO-Sept. 1986, pp. 828-833.
		Barraquer, "Keratomileusis and Keratophakia in the Surgical Correction of Aphakia," Cataract Surgery and Special Techniques, prior to 1996, pp. 270-289.
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		Werblin, "Epikeratophakia: Techniques, Complications and Clinical Results," Ophthalmology, prior to 1996, pp. 45-58.
		Sally Pobjewski, "New U-developed laser performs high-precision corneal surgery," News and Information Services, The University Record, July 16, 1997.
		Karin R. Sletten, M.D. et al.; Experimental Science, "An In Vivo Model of Femtosecond Laser Intrastromal Refractive Surgery," Ophthalmic Surgery and Lasers, November/December 1999, Vol. 30, No. 9, pp. 742-749.
		Griffith et al.; "Functional Human Corneal Equivalents Constructed from Cell Lines," SCIENCE, Vol. 286, December 10, 1999, pp. 2169-2172.
		Yamauchi et al.; "Cultivation of fibroblast cells on keratin-coated substrata," Polymers for Tissue Engineering, pp. 329-340, VSP 1998.
		Ijima et al.; "Formation of a spherical multicellular aggregate (spheroid) of animal cells in the pores of polyurethane foam as a cell culture substratum and its application to a hybrid artificial liver," Polymers for Tissue Engineering, pp. 273-286, VSP 1998.
		Cao et al.; "Comparative study of the use of poly(glycolic acid), calcium alginate and pluronics in the engineering of autologous porcine cartilage," Polymers for Tissue Engineering, pp. 315-327, VSP 1998.
		Binder et al.; "Hydrogel keratophakia in non-human primates," Current Eye Research, Vol. 1, No. 9, 1981/1982, pp. 535-542.
		Swinger et al.; "Keratophakia and Keratomileusis - Clinical Results," American Academy of Ophthalmology, August 1981, Vol. 88, No. 8, pp. 709-715.

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	Applicant Peyman, Gholam A.	
	Filing Date Feb. 24, 2004	Group

<b>Examiner:</b>	<b>Date Considered:</b>
*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

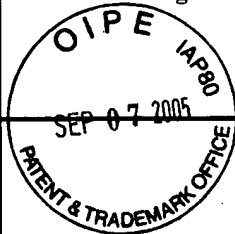
**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
**(Under 37 CFR 1.97(b) or 1.97(c))**

Docket No.  
**115588-44**

In Re Application Of: **Peyman, Gholam A.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/784,169	February 24, 2004		29180		8282

Title: **Methods of Treatment for Refractive Errors Using Subepithelial or Intrastromal Corneal Inlay with Bonding Coating**



Address to:  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**37 CFR 1.97(b)**

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

**OR**

☐ the fee set forth in 37 CFR 1.17(p).

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
115588-44

In Re Application: **Peyman, Gholam A.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/784,169	February 24, 2004		29180		8282

Title: **Methods of Treatment for Refractive Errors Using Subepithelial or Intrastromal Corneal Inlay with Bonding Coating**

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **02-1818** as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

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I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. \_\_\_\_\_)

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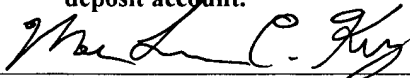
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on \_\_\_\_\_

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Dated: **9-6-05**

CC:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Peyman, Gholam A.  
Appl. No.: 10/784,169  
Conf. No.: 8282  
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Title: METHODS OF TREATMENT OF REFRACTIVE ERRORS USING  
SUBEPITHELIAL OR INTRASTROMAL CORNEAL INLAY WITH  
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Art Unit: Unassigned  
Examiner: Unassigned  
Docket No.: 116161-03

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY EXPRESS MAIL UNDER 37 CFR 1.10

Sir:

I hereby certify that the following documents relating to the above-identified application:

1. Transmittal of Information Disclosure Statement
2. Information Disclosure Statement with attachments
3. Information Disclosure Citation In An Application PTO Form 1449
4. Express Mail Label
5. Return Receipt Postcard

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Alexandria, VA 22313-1450

on

September 7, 2005

Respectfully submitted,

BELL, BOYD & LLOYD LLC

Heather Foster

Name of Person Mailing Correspondence

Signature

EV 551755843

Express Mail Mailing Label Number